



CITY OF SURPRISE
City Council Meeting Minutes
100 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, November 13, 2012 @ 06:00 PM

A. Call To Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, November 13, 2012**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Biundo, Council Member Alton, Council Member Villanueva, Council Member Woodard, and Council Member Hall.

Staff Present: City Manager, Chris Hillman, Assistant City Attorney, James Gruber, and City Clerk, Sherry Ann Aguilar.

Mayor opened with reports on Veterans Day events throughout Surprise. She introduced Michael Celaya whose son is serving in the military right now. Mr. Celaya was pleasantly surprised when his son came in unexpectedly after just returning from Japan, and he has been gone for over one year now.

C. Pledge of Allegiance

The Pledge of Allegiance was lead by Michael Celaya, Jr.

D. Invocation

E. City Manager Report:

City Manager Hillman introduced new Grants Coordinator, Jessica Plazena who spoke of educational background and will be reviewing the General and Strategic Plans for grant opportunities.

F. City Attorney Report: None

G. Regular City Council Meeting Agenda:

Consent Agenda:

***#1 Consideration and action on Resolution No. 2012-104, a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the City to enter into FFY 2012**

Homeland Security Grant Number 999821-01, CBRNE Enhancement, with the US Department of Homeland Security acting through the State of Arizona Department of Homeland Security, conduct all negotiations and execute and submit all documents in connection with said grant and authorizing a transfer of \$33,280 from the FY 2013 Unforeseen Grants Fund budget to the center assigned to record all applicable grant activity - APPROVED

***#2 Consideration and action on Resolution No 2012-107, a resolution accepting maintenance of the streets and public water utilities located in specifically those streets and utilities located near the intersection of Litchfield and Waddell roads - APPROVED**

***#3 Consideration and action on an Acquisition of Control request by Joanne Zern for Pei Wei Asian Diner, LLC located at 14155 W. Bell Road, Suite 113, Surprise, Arizona 85374, for a Series 12 liquor license (R-1773752-8) - APPROVED**

***#4 Consideration and action on the minutes of the Special City Council Work Session of October 16, 2012; the Regular City Council Meeting of October 23 and the Special City Council Meeting of October 30, 2012 - APPROVED**

Council Member Hall made the motion to approve the consent agenda. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Non-Public Hearing:

#5 Consideration and action to appoint Kelly Schwab to fill a vacancy on the Judicial Selection Advisory Commission (JSAC) representing the Maricopa County Bar Association Member vacancy with a term expiration of July 1, 2014 - APPROVED

Council Member Biundo introduced JSAC Appointment, Kelly Schwab, Maricopa Bar Association Member.

Council Member Biundo made the motion to approve appointing Kelly Schwab to fill a vacancy on the Judicial Selection Advisory Commission (JSAC) representing the Maricopa County Bar Association Member vacancy with a term expiration of July 1, 2014. Council Member Alton seconded the motion. Seven yes votes. Motion carried.

#6 Discussion, consideration and action to appoint Deangelo Hall to fill the Tourism Commission vacancy (Resident Vacancy) with a term expiration of July 1, 2013 - APPROVED

Council Member Biundo introduced Deangelo Hall to fill the vacancy for the resident position on the Tourism Commission.

Council Member Biundo made the motion to approve appointing Deangelo Hall to fill the Tourism Commission vacancy (Resident Vacancy) with a term expiration of July 1, 2013. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#7 Consideration and action on Ordinance #2012-11, an ordinance amending the Surprise City Code by amending the membership of the Surprise Youth Leadership

Commission from nine (9) to eleven (11) - APPROVED

Vice Mayor Williams commented that we had so many great applicants for this board, and does not want to leave anyone out to increase participation.

Vice Mayor Williams made the motion to approve Ordinance #2012-11, an ordinance amending the Surprise City Code by amending the membership of the Surprise Youth Leadership Commission from nine (9) to eleven (11). Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#8 Consideration and action on appointing the following students to the Surprise Youth Leadership Commission as follows: Brian Vergara & Bo Li (Valley Vista High School); Brenda Rios (Willow Canyon High School); Tori Corea (Paradise Honors High School); Madalyn Heimann (Imagine Prep @ Surprise); Victor Padilla, Tiernan Fredette & Shannon Sylvester (Shadow Ridge High School); Austin Brace (Dysart High School) and Anastasia Sholes (Willow Canyon High School). Term to expire at the conclusion of the students' twelfth grade year, not to exceed one year term - APPROVED

Vice Mayor Williams introduced all of the students being considered for appointment to the Youth Leadership Commission.

Vice Mayor Williams made the motion to approve appointing the following students to the Surprise Youth Leadership Commission as follows: Brian Vergara & Bo Li (Valley Vista High School); Brenda Rios (Willow Canyon High School); Tori Corea (Paradise Honors High School); Madalyn Heimann (Imagine Prep @ Surprise); Victor Padilla, Tiernan Fredette & Shannon Sylvester (Shadow Ridge High School); Austin Brace (Dysart High School) and Anastasia Sholes (Willow Canyon High School). Term to expire at the conclusion of the students' twelfth grade year, not to exceed one year term. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#9 Consideration and action to award Tourism Grant funding to What's Happen'n Art Movement in an amount not to exceed \$10,000 for Art is Alive in Surprise art festival as recommended by the Tourism Advisory Commission - APPROVED

Community and Recreation Services Director, Mark Coronado and Vice-Chair of the Tourism Commission gave an overview of the request for \$10,000. for the Art is Alive (WHAM Festival) in April 2013.

Council Member Alton spoke of the Tourism recommendation and City Council doing a match. He thanked the Tourism Commission for what they have done.

Council Member Woodard inquired about amending the motion to increase the amount.

Mayor Wolcott spoke of concern on voting on additional funding when we haven't discussed the budget. She then asked if Woodard wanted to amend the motion.

Woodard made a motion to amend the 1st motion to increase the dollar amount to \$20,000. Alton seconded the motion. Mayor Wolcott opened for discussion.

Vice-Chair explained the history of this festival and how they based their recommended funding for this event.

Council Member Biundo commented on WHAM's outreach to other local communities. He asked if those have been explored yet.

Council Member Hall spoke of the Commission spending a lot of time vetting this item; the event is not a tourism event and figuring out how to fund an event like this without using the Tourism funds.

Council Member Villanueva inquired about looking at outside sources for funding and using the General Fund.

Council Member Alton stated that he agrees with CM Villanueva; doesn't think we have the capabilities to hit the Tourism Fund for more money without going through the commission and that it's not under Council's authority to tell the Tourism Commission to increase their amount.

Vice Mayor Williams stated that he agrees that we should not make decisions for the Tourism Commission and that we need to monitor the event and see how well it does this year.

Council Member Woodard asked for clarification regarding In-Kind contributions.

Mayor Wolcott stated that we need to have a dollar amount assigned to all In-Kind contributions should be added so that we can quantify what is being given.

CRS Director Coronado stated that the City Manager has asked CRS to put together 12 month calendar of events which would include a dollar amount assigned to every in-kind item.

Council Member Alton stated that he would like to see an item come forward at future meeting.

Council Member Woodard withdrew his motion to amend the amount.

Council Member Hall made the motion to approve awarding Tourism Grant funding to What's Happen'n Art Movement in an amount not to exceed \$10,000 for Art is Alive in Surprise art festival as recommended by the Tourism Advisory Commission.

Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#10 Discussion Regarding Ordinance #09-41, the retirement notice of Presiding Judge George Logan, the recruitment process and the time line for filling the vacancy - NO ACTION

HR Analyst, Maria Alas opened discussion regarding Ordinance 09-41 and staff suggested changes.

Judge Logan's official retirement date will be February 4, 2013.

Judge Logan commented that due to restrictive timelines outlined in this ordinance, the process is going to take much longer than anticipated. He further stated that there are Protem Judges who could fill in full-time until a permanent replacement has been hired.

Mayor Wolcott pointed out that both documents are not consistent.

Vice Mayor Williams inquired about advertising and advertising restrictions.

Maria Alas stated that it will be in the December issue.

Council Member Hall inquired about the following: Interim Pro-Tem; Council approved and will Candidate interviews be public. He asked for clarification JSAC Attorney members.

Council Member Alton inquired if other cities have the same articles.

Mayor Wolcott commented on the following: - Section 30-4, item 4 - Residing Judge or City Manager shall notify the Mayor for vacancies. The preference would be Judge directly notifies the Mayor as a personal preference; 30-8 - she is struggling with language and Section 30-10 - Appointing Pro-Tem Judges.

City Manager Hillman stated that there are some challenges of the process, should be relating to the recruitment process and further stated that he has some initial concerns with this part of the ordinance, all City employees should report to the City Manager.

Council Member Alton suggested tabling this for now.

#11 Discussion regarding the update to the Surprise General Plan - NO ACTION

Assistant City Manager, Mihelich gave an update regarding the General Plan process. Several members of the GPAC were in attendance and available for Council questions. Vamshee Kovuru gave an overview of the process.

Vice-Chair, Frank Dias continued the presentation. There has been extensive outreach activities were conducted in several locations around the City.

Council Member Woodard questioned the election timeline.

Mr. Mihelich stated that this is a very well run group, they are going through each element extensively and that the draft is going to be done this month which means it will be open for Council review and changes can be made.

Council Member Hall inquired about any possible changes to the General Plan.

Mr. Mihelich reported on the order of importance:

Safe & Clean
Economic Development
Transportation

Council Member Alton spoke of the importance getting the information out to the voters.

Mayor Wolcott stated that she is very impressed with the survey returns and that this is a positive sign that our community is engaged.

Council Member Biundo stated that he is pleased to hear about the additional input from all of the boards and commissions.

Public Comments:

Ken Wright commented on the draft copy of the General Plan and public awareness and water.

#12 Discussion, consideration and action to approve an expenditure in the amount of \$2,000.00 from the Council Community Outreach Fund for Youth Leadership Initiatives that will include hosting of the West Valley Youth Leadership Council and building and planning of the Surprise Amazing Race.

Vice Mayor Williams gave a presentation regarding the Youth Leadership Initiatives in the amount of \$2,000.

Council Member Woodard inquired about seed money for the first year.

Council Member Hall made the motion to approve an expenditure in the amount of \$2,000.00 from the Council Community Outreach Fund for Youth Leadership Initiatives that will include hosting of the West Valley Youth Leadership Council and building and planning of the Surprise Amazing Race. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#13 Consideration and action on Resolution 2012-102, a resolution of the Mayor and Council of the City of Surprise, approving the first amendment to the pre-annexation and the Altamira development agreement between the City of Surprise and 371 on 163, LLC - APPROVED

Public Works Director, Beckley gave an overview regarding Resolution No. 2012-102.

Council Member Biundo made the motion to approve Resolution 2012-102, a resolution of the Mayor and Council of the City of Surprise, approving the first amendment to the pre-annexation and the Altamira development agreement between the City of Surprise and 371 on 163, LLC. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

H. Call To The Public:

I. Other Business and Future Agenda Items:

Vice Mayor Williams: Council Sub-Committee look at water issues and a Council Sub-Committee work with Youth Commission to create a Youth Master Plan

Council Member Woodard: Have Mr. Coronado and City Manager Hillman work on In-Kind Services.

J. Mayor/Council Reports:

Mayor and Council attended and/or reported on the following:

Council Member Biundo: Southwest Products/Skyway Groundbreaking event; very complimentary of Surprise staff; Veteran's Day Ceremony in Sun City Grand - General Rothstein gave a clear and concise descriptions of the F-35.

Council Member Villanueva: Ribbon Cutting for the Community Garden; thanked the donors of supplies, etc.

Council Member Alton: Sun City Grand Veterans Day event; Thanksgiving is coming up, shop locally.

Council Member Hall: Groundbreaking, very exciting; visited Techcelerator and Chamber breakfast

this morning.

Council Member Woodard: Groundbreaking last week; GAIN Night, great time; Coffee Chat this weekend in Community Room and Health Fair, hats off to Randy Miller and all that assisted.

Vice Mayor Williams: Greer Ranch HOA; working with youth groups, team building sessions; the youth want to get involved; West Valley Youth Council, 34 applicants from the west valley.

Mayor Wolcott: US Green Building Commissions Heavy Metals Award Ceremony; first orientation meeting for GPEC, serves on the Board of Directors for GPEC; October 30th Mayor Stanton of Phoenix came out to Surprise and did a segment on Channel 11, regionalism, he made it clear that he wants to be a partner with the City of Surprise. JPAC; Best of the West Award - Complimented all of Council.

K. Executive Session: None

L. Adjournment:

Mayor Wolcott adjourned the Regular City Council Meeting of November 13, 2012 at 8:35 p.m.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk,

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, November 13, 2012.**

Sherry Ann Aguilar, City Clerk,